

REMARKS

This Amendment is being filed in response to the Final Office Action mailed March 8, 2011, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3 and 5-8 are pending in this Application, where claims 1 and 7 are independent.

In the Final Office Action, the amendment filed on October 21, 2010 is objected to under 35 U.S.C. §132(a) for allegedly adding new matter by omission of crossing wires in FIG 5a and omission of related description. This allegation is respectfully traversed. However, to advance prosecution and expedite allowance, FIGs 5a and 5b have been amended to show a power source 30 connected to a motor 16 through a reversing switch 40. A replacement sheet including FIGs 5a and 5b is enclosed. Applicant respectfully requests approval of the enclosed proposed drawing changes.

Further the specification has been amended for conformance with amended FIGs 5a and 5b. No new matter is added as one skilled in the art, at the time the invention was filed, would clearly know that reversing means or reversing switches are and had been readily available for many years, such as evidence by the presently cited prior art, namely, U.S. Patent No. 3,213,536 (Futterer) filed almost 40 year ago on August 2, 1963 before the

July 23, 2003 priority filing date of the present Application.

In the Final Office Action, claims 1, 3 and 5-8 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. This rejection is respectfully traversed. However, to advance prosecution and expedite allowance, the specification and FIGs 5a-5b have been amended to show a power source 30 connected to a motor 16 through a reversing means or switch 40, as recited in the claims. It is respectfully submitted that the Application including the figures, fully complies with the written description requirement, and reasonably conveys that the inventor, at the time the Application was filed, had possession of the claimed invention.

In particular, one skilled in the art would have no trouble understanding from the specification and drawings that the inventors, at the time of the Application was filed, had possession of the claimed invention as recited in claims 1, 3 and 5-8, such as described in the above noted portion of the specification, namely, from page 4, line 26 to page 5, line 5 of the specification as originally filed.

As clearly described in the above noted portion of the specification, the polarity of the power provided to the motor 16 is reversed by reversing means, where one skilled in the art would clearly know from the present application, that a conventional reversing switch, that has been available for many years, may be used to reverse polarity for operating a motor in a first and a second or opposite direction. The state of the art in at the priority filing date of the present Application of July 23, 2003 is replete with items that

include switches having a first position for operating a motor in one direction, and having a second position for operating the motor in the reverse direction, such as Futterer which is cited in rejecting the claims and is published on October 26, 1965, many years before the August 2, 1963 effective filing date of the present application. Certainly, one skilled in the art, from reading the present application, would understand to use readily available reversing switches to reverse operation of a motor.

It is respectfully submitted that, from the present application and the state of the art, one skilled in the art would clearly understand that the inventor, at the time the Application was filed, had possession of the claimed invention, and would know how to make and use reversing means that reverses the polarity of power provided to a motor, where the present application specifically recites that "the reversing means for reversing the sense of rotation of the motor 16 are integrated in the operating member 8 for putting the trimmer into and out of operation." (Specification, page 5, lines 3-5; emphasis added) For example, Futterer dating back to 1963, clearly shows that "a reversing switch 28" that reverses power polarity to a motor 27 is well known even in 1963, such as described from column 3, line 65 to column 4, line 19 of Futterer.

Further, FIGs 5a-5b are functional diagrams, and not intended to be blueprints or industrial diagrams for manufacturing the device. One skilled in the art, even back in 1963 as evidenced by Futterer, would clearly know how to make and use a device having a reversing switch based on the present Application, and understand that the inventor, at the

time the Application was filed, had possession of the claimed invention. Even Futterer does not provide great details regarding the reversing switch 28 shown in FIG 4 of Futterer, since one skilled in the art would easily know how to make and use a reversing switch, even back in 1963. Reversing switches are readily available and have been available for a long time, and there is no need to provide great details regarding how to make and use reversing switches, devices or means to reverse rotation of a drive structure, as recited in the claims.

It is respectfully submitted that the present invention as recited in claims 1, 3 and 5-8 fully complies with the written description requirement, where FIGs 4a-4b and page 4, lines 4-20 clearly describe "reversing means for reversing at least a portion of the drive structure between a first sense of rotation and a second, opposite sense of rotation," as recited in claim 1. Further, FIGs 5a-5b and the specification as amended, such as page 4, line 26 to page 5, line 5, clearly describe a motor which is provided with power of reverse polarity, which may be done using well known means as easily recognized from the present Application by those skilled in the art, such as the reversing switch 28 of Futterer. Accordingly, withdrawal of this rejection of claims 1, 3 and 5-8 under 35 U.S.C. §112, first paragraph is respectfully requested.

In the Final Office Action, claims 1-3, 5 and 7 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,213,536 (Futterer) and in view of U.S. Patent No. 5,701,673 (Ullmann). Further, claims 1-3 and 5-8 are rejected under 35 U.S.C. §103(a) over Futterer

in view of Ullmann and U.S. Patent No. 4,355,464 (Bergsma). It is respectfully submitted that claims 1, 3 and 5-8 are patentable over Futterer, Ullmann and Bergsma for at least the following reasons.

Futterer is directed to dry shaver having two cutters. A drive shaft 1 is selectively rotated in either direction. The shaft is rotatable in one direction for driving a long hair cutter 15 and is rotatable in the opposite direction for driving the second cutter a short hair cutter 16, as shown in FIGs 4-5. As recited on column 3, lines 29-44 and line 75, upon or in response to reversing the rotation direction of the drive shaft 1, via a reversing switch 28, either the long or short hair cutters 15, 16 are is driven. That is, driving the long or short hair cutters 16, 15 is achieved by "rocking the switch 28 in the opposite switching position." (Futterer, column 4, lines 21-22) In Futterer, as clearly shown in FIG 5, the long hair cutter 15 is not retractable, and does not have two positions, such as a retracted position and an operation position. Rather, as correctly noted by the Examiner on page 4, line 1 of the Office Action, the Futterer trimmer "has only one position." (Office Action, page 4, line 1; emphasis added)

Ullmann is directed to a dry shaving apparatus having a switch 4 with four positions, namely:

- a first OFF position as shown in FIG 2a;
- a first ON position as shown in FIG 3a, where the trimmer 7 is in a retracted position;

- a second ON position as shown in FIG 4a, where the trimmer 7 is in an extended or operating position; and

- a second OFF position as shown in FIG 5a, where the trimmer 7 is de-activated but remains in the extended position P (as shown in FIGs 1, 4a and 45).

That is, in the second OFF position shown in FIG 5a, the Ullmann trimmer 7 is turned **OFF** by the switch 4, but **REMAINS in the extended** position P. Thus, the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs "**in response** to an action of **moving the trimmer** between the retracted position and the operation position **using the operating member**," as recited in independent claim 1, and similarly recited in independent claim 7. Ullmann does not even disclose or suggest, and is completely silent about, any reversing device configured to reverse the drive direction.

It is respectfully submitted that the Futterer and Ullmann, alone or in combination, do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 7 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the reversing means are **integrated** in the operating member and co-operate with the trimmer for reversing said sense of rotation **in response** to an action of **moving the trimmer between the retracted position and the operation position using the operating member**.

**Reversing** means being **integrated** in an operating member to **move** a trimmer between the retracted position and the operation position is nowhere disclosed or

suggested in Futterer and Ullmann, alone or in combination. Rather, the trimmer in Futterer "has only one position," and the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs "in response to an action of moving the trimmer between the retracted position and the operation position using the operating member," as recited in independent claim 1, and similarly recited in independent claim 7.

Rather, the Ullmann trimmer 7 is turned OFF by the switch 4, but REMAINS in the extended position P, as clearly shown in FIG 5a of Ullmann. Thus, Ullmann teaches away from having "reversing means [that] are integrated in the operating member and co-operate with the trimmer for reversing said sense of rotation in response to an action of moving the trimmer between the retracted position and the operation position using the operating member," as recited in independent claim 1, and similarly recited in independent claim 7.

A reversing device which is integrated in a switch, where the rotation sense is automatically reversed by moving the trimmer between retracted and operation positions, is nowhere disclosed or suggested in Futterer and Ullmann, alone or in combination. Bergsma is cited to allegedly show other features and does not remedy the deficiencies in Futterer and Ullmann.


Accordingly, it is respectfully requested that independent claims 1 and 7 be allowed. In addition, it is respectfully submitted that claim 3, 5-6 and 8 should also be allowed at least based on their dependence from independent claims 1 and 7, as well as for the

separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present Application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
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Enclosure: Replacement drawing sheet (1 sheet including FIGs 5a and 5b)

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